

PATENT

#9

Docket No. 30277-177
(OID 1997-53-01)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of
NADEEM SYED, et al.

Serial No. 09/032,095

Filed: February 27, 1998

BATCH NO.: B65

Group Art Unit: 2771

ALLOWED: September 16, 1999

Examiner: R. Ho

For: METHOD AND APPARATUS FOR COPYING DATA THAT RESIDES IN A
DATABASEHon. Assistant Commissioner of Patents
and Trademarks
Washington, D.C. 20231**MATCH & RETURN****PETITION TO DEFER ISSUANCE OF PATENT APPLICATION UNDER C.F.R. § 1.314**

Sir:

Applicant hereby respectfully petitions for deferral of the issuance of the application referenced above as a patent until the currently pending Rule 312 Amendment has been both considered and entered. The Rule 312 Amendment was mailed by the Applicant on September 28, 1999 and removes a superfluous limitation that does not add any novelty to the claimed invention.

This petition is made to allow sufficient time for the Examiner to consider the pending Rule 312 Amendment. During a telephone conversation on December 14, 1999, between Examiner Ho and Carl L. Brandt, Attorney for the Applicant, the Examiner indicated that the Rule 312 Amendment had not yet been received by her for consideration, even though the Rule 312 Amendment had been filed with the U.S. Patent and Trademark Office on September 28, 1999, well prior to the December 16, 1999 issue fee payment due date.

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Based on the foregoing, it respectfully submitted that applicant has shown good and sufficient reasons why it is necessary to defer issuance of the patent as requested. The Commissioner is hereby authorized to charge payment of any fees associated with this petition or credit any overpayment, to Deposit Account No. 50-0417, including any fees under 37 CFR

1.17.

Respectfully submitted,

MCDERMOTT, WILL & EMERY



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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Parents, Washington, DC 20231

on _____ by _____